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October 19, 2012

Via Facsimile (914) 390-4152

Hon. Kenneth M. Karas, U.S.D.J.

United States District Court

United States Courthouse, Chambers 533

300 Quarropas Street

White Plains, NY 10601-4150

Re: *Deskovic v. City of Peekskill, et al.*, No. 07-CV-8150 (KMK)(GAY)
***McGarr v. City of Peekskill, et al.*, No. 07-CV-9488 (KMK)(GAY)**
Our File No.: Z0021-01064

Dear Judge Karas:

We represent Third-Party Defendant, Zurich American Insurance Company (incorrectly named as American Zurich Insurance Company) ("Zurich") in the above captioned matters. In response to our correspondence of October 5, 2012, the Court extended the time for Zurich's response to the pending motion to compel so that Zurich could complete its search for a complete copy of Form U-ES-10019-A NY, as it appears the first page was missing from the prior production.

Zurich has completed its search and produced all of the documents within Zurich's possession that comprise the Zurich Policy. Zurich was unable to locate the missing first page of Form U-ES-10019-A NY.

Zurich is in the process of obtaining an affidavit from a Zurich representative addressing Zurich's completed policy search and document production. We ask that the Court grant Zurich an extension to file its response to plaintiff's motion until October 26, 2012, in order to afford Zurich time to obtain the affidavit. Plaintiff's counsel consents to this extension. //

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Respectfully submitted,

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cc: **Via Email**

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Granted -
So ordered -

10/22/12